

The Use of 'Bugs' to Fight

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WASHINGTON — Court-approved wiretapping and bugging more than doubled in recent years, indicating the techniques are fast becoming routine investigative weapons in the crime-fighting arsenal.

A report to congress by the Administrative Office of the United States Courts found 583 taps and bugs were installed by state and federal authorities in 1970, compared with 271 in 1969. There were 147 eavesdrops in the six months of 1968 after federal eavesdrop legislation became effective.

The 1970 surveillances, which cost \$3,140,864, resulted in 382,061 intercepts — 173,888 of them classified as incriminating — 1,874 arrests and 151 convictions, the report said.

Wiretaps are interceptions of line communications, such as telephones; bugs are hidden microphones that pick up conversations within a certain radius. Together they are referred to as electronic eavesdrops or surveillances.

The 583 installations in 1970 included 180 by federal authorities and 403 by state officials.

The Nixon Administration's stepped-up use of electronic surveillance, particularly in the battle against organized crime, can be seen in comparative statistics for the years 1968-1970.

The law which authorized court-approved eavesdrops in criminal cases, the Omnibus Crime Control and Safe Streets Act of 1968, went into effect June

20, 1968. The Johnson Administration with Ramsey Clark as attorney general declined to use the power granted in the act.

In 1969, the first year of the Nixon Administration, 30 federal eavesdrops were installed; in 1970 the number jumped six times, to 180. Attorney General John N. Mitchell said that more than 80 installations had been made in the first three months of 1971 alone, a

rate that if continued would mean more than 300 for the year.

The report for 1970 said that among the federal requests for installations were 121 for gambling, 41 for drugs and narcotics and 16 for extortionate credit (loan sharking) transactions, all fields in which organized crime operates.

The report, required annually by the 1968 act, is based on data submitted by state and federal judges and prosecu-

Crime Increases in

tors.

It was not designed to warm the hearts of critics who contend eavesdropping is of doubtful constitutionality and inimical to a free society. Clark has called electronic eavesdrops a waste of time, talent and money.

In addition to the federal government, 18 states in 1970 had eavesdrop laws modeled after the 1968 act.

The report lists only court-approved eavesdrops. National security eavesdropping was specifically exempted from requirements of the 1968 act. Also unlisted are surveillances of alleged domestic subversives, which the Justice Department claims it can do without court permission.

Despite the report's limitations, it offers the only detailed analysis available to the public of the costs and effects of

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electronic eavesdropping — at least in the anti-crime field.

Of the 583 installations in 1970, 539 were wiretaps, 21 were bugs and 23 were of both varieties. The state breakdown was 367 taps, 18 bugs and 18 of both. The federal government installed 173 taps, three bugs and five of both.

The average cost of all 583 installations was \$5,387. The cost range was from \$14 for a state tap in Bergen County, New Jersey, to \$146,300 for a federal tap in central California. The average cost per conviction was \$45,078 for the federal government and \$9,486 for state authorities.

New York state, whose 213 installations cost \$673,895 spent about two-thirds of the total \$977,083 expended by the 11 states. Second in state expenditures was New Jersey with \$234,394.

The federal government reported 613 arrests from its eavesdrops, with 48 of them resulting in convictions. State officials reported 103 convictions from 1,261 arrests.

New York County, New York (Manhattan), led all non-federal jurisdictions in arrests based on eavesdrops, with 157. But its six convictions were far below the leading 30 claimed by Suffolk County, Massachusetts (Boston).

The most popular location for eavesdropping was houses. They were listed on 203 applications for surveillances. Next were apartments (163), businesses (122), hotels (39) and combination business and living quarters (30).

Leading offenses for which wiretaps or bugs were sought included gambling (326), narcotics and drugs (127), larceny (31), homicide (20), loan sharking (16) and arson and robbery (13 each).

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